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10 [Proposed] Lead Counsel

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14 IN RE LUMINENT MORTGAGE CAPITAL,
15 INC. SECURITIES LITIGATION

No. C 07-4073 PJH

16 CLASS ACTION

17 No. 3:07-cv-04096-PJH

18 ROSENBAUM CAPITAL LLC, Individually
and on Behalf of All Others Similarly Situated,
19 Plaintiff,
20
21 v.
22 LUMINENT MORTGAGE CAPITAL, INC.,
GAIL P. SENECA, SEWELL TREZEVANT
23 MOORE, JR., and CHRISTOPHER J. ZYDA,
24 Defendants.

25 NOTICE OF WITHDRAWAL AND
REFILING, PURSUANT TO COURT
ORDER, OF MOTION TO CONSOLIDATE
ACTIONS, TO BE APPOINTED LEAD
PLAINTIFF AND FOR APPROVAL OF
LEAD PLAINTIFF'S SELECTION OF LEAD
COUNSEL

26 DATE: November 21, 2007

TIME: 9:00 a.m.

COURTROOM: 3

JUDGE: Hon. Phyllis J. Hamilton

27 [Captions Continued on Next Page]

28 NOTICE OF WITHDRAWAL AND REFILING OF MOTION OF RONALD LARSON TO CONSOLIDATE
ACTIONS, TO BE APPOINTED LEAD PLAINTIFF AND FOR APPROVAL OF LEAD PLAINTIFF'S SELECTION
OF LEAD COUNSEL
CASE NO. 3:07-cv-04096-PJH

1
2 PEM RESOURCES LP, Individually and On
3 Behalf of All Others Similarly Situated,

4 Plaintiff,

5 v.

6 LUMINENT MORTGAGE CAPITAL, INC.,
7 GAIL P. SENECA, SEWELL TREZEVANT
8 MOORE, JR., and CHRISTOPHER J. ZYDA,

9 Defendants.

Case No. 3:07-cv-04184-PJH

10 HOWARD J. KAPLOWITZ IRA, Individually
11 and On Behalf of All Others Similarly
12 Situated,

13 Plaintiff,

14 v.

15 LUMINENT MORTGAGE CAPITAL, INC.,
16 S. TREZEVANT MOORE, JR. and
17 CHRISTOPHER J. ZYDA,

18 Defendants.

Case No. 3:07-CV-04140-PJH

19 ELLIOT GREENBERG, Individually and On
20 Behalf of All Others Similarly Situated,

21 Plaintiff,

22 v.

23 LUMINENT MORTGAGE CAPITAL, INC.,
24 GAIL P. SENECA, SEWELL TREZEVANT
25 MOORE, JR., and CHRISTOPHER J. ZYDA,

26 Defendants.

Case No. 3:07-cv-04141-PJH

27 ALLEN M. METZGER, On Behalf of Himself
28 and All Others Similarly Situated,

29 Plaintiff,

30 v.

31 LUMINENT MORTGAGE CAPITAL, INC.,
32 GAIL P. SENECA, SEWELL TREZEVANT
33 MOORE, JR., and CHRISTOPHER J. ZYDA,

34 Defendants.

Case No. 3:07-cv-04686-PJH

35 NOTICE OF WITHDRAWAL AND REFILING OF MOTION OF RONALD LARSON TO CONSOLIDATE
36 ACTIONS, TO BE APPOINTED LEAD PLAINTIFF AND FOR APPROVAL OF LEAD PLAINTIFF'S SELECTION
37 OF LEAD COUNSEL
38 CASE NO. 3:07-cv-04096-PJH

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 On October 9, 2007, Plaintiff Ronald Larson filed a Motion to Consolidate Actions, to be
 3 Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel, along with
 4 a Declaration of Alan R. Plutzik in Support of the Motion of Ronald Larson to Consolidate Actions,
 5 to be Appointed Lead Plaintiff and for Approval of Lead Plaintiff's Selection of Lead Counsel in the
 6 following actions:

7 Rosenbaum Capital LLC v. Luminent, et al. Action No. 3:07-cv-04096-PJH

8 PEM Resources v. Luminent, et al. Action No. 3:07-cv-04184-PJH

9 Howard J. Kaplowitz Ira v. Luminent, et al. Action No. 3:07-cv-04140-PJH

10 Elliot Greenberg v. Luminent, et al. Action No. 3:07-cv-04141-PJH

11 Allen M. Metzger v. Luminent, et al. Action No. 3:07-cv-04686-PJH

12 On October 10, 2007, the Court issued its Order Consolidating Cases in which the Court
 13 directed that in cases other than the consolidated action, the motions for appointment of lead counsel
 14 shall be withdrawn.

15 Pursuant to the Court's October 10, 2007 Order, Plaintiff Ronald Larson hereby withdraws
 16 his Motion to Consolidate Actions, to be Appointed Lead Plaintiff and for Approval of Lead
 17 Plaintiff's Selection of Lead Counsel filed in the above-referenced actions and gives notice that the
 18 Motion is being refiled on October 16, 2007 in the following action:

19 In Re Luminent Mortgage Capital, Inc., Securities Litigation, Case No. C07-4073 PJH

20
21 Dated: October 16, 2007

Respectfully submitted,

22
23 SCHIFFRIN BARROWAY
TOPAZ & KESSLER, LLP

24
25 /s/Alan R. Plutzik

26
27 Alan R. Plutzik

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